

ROUTING AND TRANSMITTAL SLIP

Date

19 MAR 1982

TO: (Name, office symbol, room number,
—building, Agency/Post)

Initials

Date

1. DD/OIS

2. D/OIS

3.

C/RMD

4.

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Copy to C/CRD also.

DO NOT use this form as a RECORD of approvals, concurrences, disposals,
clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

☆ GPO : 1981 O - 341-529 (120)

STAT

STAT

STAT

TRANSMITTAL SLIP		DATE 18 March 1982
TO: Director of Information Services		
ROOM NO. 1206	BUILDING Ames Bldg.	
REMARKS:		
FROM: Deputy Director for Administration		
ROOM NO. 7D 24	BUILDING Hqs	
FORM NO. 1 FEB 55 241		
REPLACES FORM 36-8 WHICH MAY BE USED.		

STAT

OIS Registry

82-241

DDA 82-0008/15

18 March 1982

MEMORANDUM FOR: Director of Central Intelligence

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Executive Order 12065


1. In accordance with your request last evening, Attachment A provides an overview of the problems with E.O. 12065; Attachment B is the Executive Order.

2. As I mentioned, we had estimated that it would cost \$80 million in the first 10-year review if we were to fully comply with the Executive Order. I am now advised that because of an increase in the proficiency of the reviewers this figure has been reduced. We will spend \$21 million by 1988 in order to meet about 30 percent of the documents requiring review. Of this 30 percent, it is estimated that not more than two percent will be declassified and that two percent will be of little interest to the public. At the end of the first 10 years we must start reviewing the material previously reviewed during the first 10 years.

3. The revised Executive Order is now held by Judge Clark. The Intelligence Community has made its recommendations to the Information Security Oversight Office which are now contained in the revised order. The revised order makes it optional to have a systematic review program. Since we are declassifying such a small amount, we would have a program that is restricted to certain categories of material thereby relieving us from the current burden.

4. Any help you can give us in getting the revised Executive Order published would be greatly appreciated.

STAT


Harry E. Fitzwater

Atts

cc: EXDIR
~~B/OIS~~

OD/OIS Distribution:

1 - C/RMD
1 - C/CRD

SUBJECT: SYSTEMATIC REVIEW FOR DECLASSIFICATION

SYNOPSIS:

The program of Systematic Review for Declassification mandated by Executive Order 12065 is a disaster. It is not cost effective; it syphons off valuable, scarce resources from CIA's primary mission; and it poses security risks. It should be abolished. The General Accounting Office has also recommended its abolition.

BACKGROUND:

Section 3-4 of Executive Order 12065 (E.O. 12065) effective 1 December 1978 requires the Executive Branch to institute programs to review all "permanently valuable records" when they reach 20 years of age (30 years for foreign government information) to determine whether the records should remain classified. If they remain classified after such review, they then must be reviewed again 10 years later, and every 10 years thereafter until declassified, unless a longer period is agreed to by the Director, Information Security Oversight Office (ISOO). Such ISOO exemptions can be difficult to come by.

The above requirement is not new. The idea started during the Eisenhower administration and in 1972 President Nixon issued E.O. 11652 which contained a similar declassification review requirement with two major differences: the initial review was to take place when records reached 30 years of age, and the time interval for re-review was left to Department Heads. E.O. 12065, recognizing that agencies were not geared up to switch from the old 30-year period to the new 20-year requirement overnight, allowed agencies 10 years to close the gap. Hence, by 1 December 1988 all permanent records dated 1 December 1968 and before are to receive an initial review.

CURRENT STATUS:

Our best estimate indicates that we still have approximately 22,000 cubic feet of permanent records that must be reviewed by 1 December 1988 if we are to comply with E.O. 12065. We have 33 people performing the review. Because of the sensitive nature of our records, we must use mostly senior analysts with long years of experience. They are highly trained in their jobs and utilize procedures designed to maximize their production. In spite of this devotion of resources, we are able to review on an average only 800 cubic feet per year. Thus, by 1 December 1988, unless we more than triple our staff, we will accomplish less than 30 percent of our objective. Also, in December 1988, as we continue to attack the remaining 70 plus percent, we will have to begin the second review of all material once reviewed and on which the decision was made to continue classification. Since our experience shows that we continue classification on over 85 percent of the records reviewed, we will have to re-review

most of the material we review by December 1988. At that time, we will be faced with the first review of records beginning to mature in December 1988. It is an impossible job.

CURRENT PROBLEMS:

CIA's program for systematic review of classified material entails the following:

1. Dollar Costs: We will spend \$21 million by 1988 under our current program and still not comply with E.O. 12065.

2. Human Resource Costs: 33 people, mostly valuable, scarce senior analysts, spend full time reviewing classified documents under our current setup; over 88 people would be required if we are to comply with E.O. 12065. These people could and should be used to collect and produce intelligence.

3. Results of Review: On the average, two percent of the material reviewed is declassified. The declassified material that does eventually reach the public will be of little interest.

4. Security Risks: Given our workload and time pressures, there is always the danger of human error resulting in the release of compromising information. Also, the release of the declassified material adds to the total picture our adversaries have access to. When added to material released under FOIA, books, and leaks, this total picture is awesome and frightful.

5. Chilling Effect on Intelligence Relationships: Because of past Congressional investigations, FOIA releases, books by former employees, and leaks, many agents and foreign intelligence contacts who would have cooperated in the past now perceive that we are unable to keep their relationship secret. With systematic review for declassification added to the list, we guarantee these folks that if their names haven't come up for review previously, they will come up when documents containing their names or identifying data become 20 years old.

RECOMMENDATION:

It is recommended that E.O. 12065 be modified to eliminate Section 3-4 or, alternatively, to exempt CIA from its provisions. The General Accounting Office has concluded after a lengthy investigation that this program should be abolished Government wide. If so, then it is submitted that even more so should it be abolished with respect to CIA.